

HOMER ADVISORY PLANNING COMMISSION
REGULAR MEETING MINUTES
FEBRUARY 4, 2015

Session 15-03, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Stead at 6:30 p.m. on February 4, 2015 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS BOS, BRADLEY, ERICKSON, HIGHLAND, STEAD, VENUTI

ABSENT: STROOZAS

STAFF: CITY PLANNER ABBOD
DEPUTY CITY CLERK JACOBSEN

Approval of Agenda

Chair Stead called for a motion to approve the agenda.

VENUTI/HIGHLAND SO MOVED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Public Comment

The public may speak to the Planning Commission regarding matters on the agenda that are not scheduled for public hearing or plat consideration. (3 minute time limit).

Reconsideration

Adoption of Consent Agenda

All items on the consent agenda are considered routine and non-controversial by the Planning Commission and are approved in one motion. There will be no separate discussion of these items unless requested by a Planning Commissioner or someone from the public, in which case the item will be moved to the regular agenda and considered in normal sequence.

- A. Approval of Minutes of January 21, 2015 meeting
- B. Decision and Findings for CUP 2015-01 for 7 cottages at 2315 East End Road

Chair Stead called for a motion to approve the consent agenda.

BOS/VENUTI SO MOVED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Presentations

None

Reports

A. Staff Report PL 15-09, City Planner's Report

City Planner Abboud reviewed the staff report.

There was discussion that Enstar hasn't provided an asbuilt of the second phase of installation and that they are obligated to bring gas to properties that are assessed. They also touched on the Council's strategic doing schedule.

Public Hearings

Testimony limited to 3 minutes per speaker. The Commission conducts Public Hearings by hearing a staff report, presentation by the applicant, hearing public testimony and then acting on the Public Hearing items. The Commission may question the public. Once the public hearing is closed the Commission cannot hear additional comments on the topic. The applicant is not held to the 3 minute time limit.

None

Plat Consideration

None

Pending Business

A. Staff Report PL 15-10, Towers

Chair Stead opened the floor to public comments.

Aaron Larson, local business owner, commented that he is here to listen to the discussion about tower regulations. He appreciates that they are looking at regulating it as a matter of structure safety.

City Planner Abboud reviewed the staff report.

Discussion points included:

- Get an early start on public feedback with the Mat-Su ordinance.
- Consistency with other tower regulations around the state on key items.
- They can't prohibit towers in districts but can prioritize where they prefer towers to be located and have applicants justify why they can't be placed in the preferred areas.
- Review of the definition of "tall structure" and "tower" from Mat-Su ordinance.
- Applicant responsibilities in pre-application requirements.
- Notification requirement of 1200 feet seems like a good place to start. It may be need to be more on the taller structures.
- FAA outlines lighting requirements.

- Collocation requirements. It will be challenging to expect a provider to overbuild because they aren't going to know what they will be accommodating. Generally it is a goal to collocate on towers and it must be allowed if possible.
- Starting point for parking requirements at least 2. They may need to have more and on collocated towers may need to say parking spaces per carrier.
- Setback of at least one, 1.1 may be better.
- Network improvement permit information is based on FCC regulations.
- Bonding versus insurance requirements relating to abandonment.

City Planner Abboud will bring back a copy from the attorney with line numbers. He will also invite people who have worked in the industry and who have dealt with regulations.

Chair Stead opened the floor to public comments.

Aaron Larson commented that their concerns relating to fall zone should focus on things falling off the tower rather than the tower falling over. It is more likely that parts will fall off the tower. He suggested half the distance of the tower as a setback.

Josh Reynolds from SpitwSpots commented that there are very extensive regulations by the FCC and FAA regarding tower lighting and color and it takes lawyers to get through those regs. Generally lighting isn't required less than 150 feet. He reiterated that the likelihood of a tower falling is minimal, noting there are some that were built in the 50's for purposes of national security that are still standing. Requiring a bond is something that could be discouraging to small business investment. There has to be insurance to protect people and their assets. He thinks what the largest community interest is going to be is what defines a tower. They will have to be careful because there are things they can't regulate. He referenced the Over the Air Device Reception law that says property owners can put up antennae and structures for them 12 feet above their roofline to receive signal.

New Business

A. Staff Report PL 15-11 Draft Ordinance for Site Development Requirements

City Planner Abboud reviewed the staff report.

ERICKSON/VENUTI MOVED TO REDUCE THE 16 MONTH TIME LIMIT TO 9 MONTHS.

There was discussion that it will come back for a public hearing.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

B. Staff Report PL 15-12 BCWPD recommendations to City Council

City Planner Abboud reviewed the staff report.

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ERICKSON/HIGHLAND MOVED THAT IN THE BRIDGE CREEK WATERSHED WE WAIVER ALL CITY PLATTING FEES WHEN VACATING LOT LINES TO INCREASE THE LOT SIZES WITHIN THE DISTRICT.

There was brief discussion in support of this recommendation to Council.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Commissioner Bos noted that some of these things aren't going to make much difference in helping property owners better use their lots and kind of seem a bit like a slap in the face.

HIGHLAND/VENUTI MOVED THAT THE CITY INCREASE EFFORTS TO PURCHASE KEY PROPERTIES.

ERICKSON/HIGHLAND MOVED TO AMEND TO SAY BUY ONE PROPERTY A YEAR.

There was brief discussion of merit and process of the city purchasing property.

VOTE: (Amendment): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

VOTE: (Main motion as amended): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

HIGHLAND/BRADLEY MOVED TO RECOMMEND EXAMINING DITCH CLEANING POLICIES AND WORK WITH DOT ON SKYLINE DRIVE MAINTENANCE INCLUDING MINIMIZING ROAD DITCH CLEARING TO MINIMIZE POSSIBLE NEGATIVE EFFECTS TO THE WATERSHED.

There was discussion supporting this recommendation.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

The Commission took a break at 8:51 p.m. and the meeting reconvened at 8:54 p.m.

VENUTI/HIGHLAND MOVED TO ASK PUBLIC WORKS NOT TO USE CALCIUM CHLORIDE FOR DUST CONTROL IN THE BRIDGE CREEK WATERSHED PROTECTION DISTRICT.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

ERICKSON/HIGHLAND MOVED THAT THE CITY LOOK INTO ADJUSTING THE MIL RATE FOR PROPERTIES WITHIN THE WATERSHED DISTRICT BETWEEN A HALF AND ONE MIL BECAUSE THEY CAN'T USE THEIR LAND.

There was brief discussion about tax policy.

VOTE: NO: BOS, STEAD, HIGHLAND, ERICKSON, VENUTI, BRADLEY

Motion failed.

HIGHLAND/ERICKSON MOVED THAT THE CITY OFFER TO PUMP SEPTICS FOR FREE ON LAND IN THE BRIDGE CREEK WATERSHED PROTECTION DISTRICT.

ERICKSON MOVED TO AMEND TO SAY SPLIT THE COST.

Motion failed for lack of a second.

HIGHLAND/ERICKSON MOVE TO AMEND TO SAY EVERY TWO YEARS.

There was brief discussion.

VOTE (Amendment): YES: HIGHLAND, ERICKSON
NO: STEAD, VENUTI, BRADLEY, BOS

Motion failed.

VOTE (Main motion): YES: VENUTI
NO: ERICKSON, STEAD, BRADLEY, BOS, HIGHLAND

Motion failed.

HIGHLAND/BRADLEY MOVED TO HAVE A BASELINE WATER QUALITY STUDY EVERY THREE YEARS.

There was brief discussion that it is already done every 10 years.

VOTE: YES: HIGHLAND
NO: BRADLEY, STEAD, VENUTI, BOS, ERICKSON.

Motion failed.

The Commission agreed to present these recommendations to Council after they complete their work on the watershed protection district ordinance.

Informational Materials

A. City Manager's report for January 26, 2015 Council Meeting

- B. Board of Adjustment decision regarding 3850 Heath Street CUP 13-13
- C. KPB Plat Committee Decision on Barnett Sub. Quiet Creek Addn 2014 Final Plat

Comments of the Audience

Members of the audience may address the Commission on any subject. (3 minute time limit)

None

Comments of Staff

None

Comments of the Commission

Commissioner Venuti said it was a good meeting; they covered a lot of bases. He added that the City Manager will be at the upcoming Chamber luncheon to talk about the Comprehensive Plan.

Commissioner Highland commented about the manual on snow and storm water. It has good information that could give some pointers that don't cost money. She encouraged the others to look at it. She also talked about a letter she has from the Center for Watershed Protection about communities and storm water fees that she will copy to the Public Works Director.

Commissioner Bradley said it was a good meeting and she may be absent at the next one.

Commissioner Erickson encouraged the idea of an internship on developing the storm water map. It would be a great educational opportunity for a student and help the city. She feels like they are doing some positive things in the watershed shed area. She hopes the residents are seeing that the commission hears their concerns and are doing something to help them.

Commissioner Bos thanked staff and hopes they keep rolling through what has been put together on the towers.

Chair Stead appreciated the input tonight, it is important.

Adjourn

There being no further business to come before the Commission, the meeting adjourned at 920 np.m. The next regular meeting is scheduled for February 18, 2015 at 6:30 p.m. in the City Hall Cowles Council Chambers. A worksession will be held at 5:30 p.m.

MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK

Approved: _____